

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHAEL S. HAZEN,

Plaintiff,

v.

9:04-CV-1494
(NAM)(RFT)

HONORABLE CARL F. BECKER, Delaware County
Supreme and County Court Judge; ELIZABETH M. DEVANE,
Board of Examiners Chairperson of Sex Offenders; THE
STATE OF NEW YORK; THE COUNTY OF DELAWARE,

Defendants.

APPEARANCES:

MICHAEL S. HAZEN
Plaintiff, *pro se*
01-B-2410
Mid-State Correctional Facility
P.O. Box 2500
Marcy, New York 13403

NORMAN A. MORDUE, DISTRICT JUDGE

DECISION and ORDER

By prior Decision and Order of this Court, the complaint filed by plaintiff Michael Hazen was dismissed for failure to state a claim upon which relief could be granted pursuant to 42 U.S.C. § 1983. Dkt. No. 7. In light of plaintiff's *pro se* status, he was afforded an opportunity to file an amended complaint if he wished to avoid dismissal of this action. *Id.* at 6. Plaintiff was afforded thirty days in which to comply with the Court's Order. *Id.*

More than sixty (120) days have elapsed since the filing of the Court's Decision and Order. Plaintiff has not filed an amended complaint as directed, nor has he communicated with the Court regarding this action.

In light of plaintiff's failure to comply with the prior Decision and Order, this action is

dismissed.

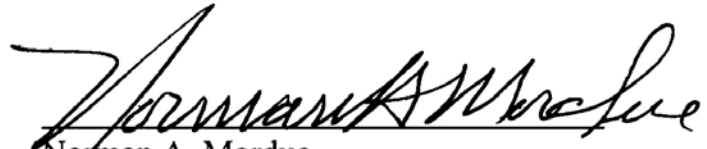
WHEREFORE, it is hereby

ORDERED, that the this action is dismissed due to plaintiff's failure to comply with the Decision and Order of this Court filed March 22, 2005 (Dkt. No. 7), and it is further

ORDERED, that the Clerk of the Court serve a copy of this Order on plaintiff.

IT IS SO ORDERED.

Dated: September 23, 2005
Syracuse, New York



Norman A. Mordue
U.S. District Judge